
TAUNTON PLANNING BOARD MINUTES
Meeting held at 15 Summer Street

DATE: July 1, 2021

BOARD MEMBERS: Anthony Abreau, Chairman Arthur Lopes
Bob Campbell, Vice Chairman John Reardon
Manuel Spencer, Clerk Dennis I. Ackerman
Brian Carr

ADVISORS:
Michael Patneaude, City Engineer
Kevin Scanlon, City Planner

Roll Call: Reardon, Carr, Campbell, Spencer, Lopes and Abreau present.
Meeting opens at 5:30 PM.

Cont'd. Public Hearing – 19 Ingell St. - A Special Permit from Section 440 Attachment # 1 of the Zoning Ordinance for the division of lot into two lots with a Special Permit for a triplex on each lot (total 6 units)

Request from Michael Binda requesting a continuance to next month.
Bob made motion to grant continuance, seconded by John. All in favor.
Continued to August 5th meeting.

Cont'd. Public Hearing – Special Permit – Disamar Rd. & Dean St. (56-62) - to allow a multi-family use (3 family dwelling) submitted by Erin Murphy.

Bob made motion to invite petitioner into the enclosure. Seconded by Brian. All in favor. Atty. William Manganiello and Erin Murphy were invited into the enclosure. Atty. Manganiello stated they continued last month because an abutter presented to the Board that he owned the strip of land along Disamar Rd.. Atty. Manganiello researched the deeds and it's clearly shows his client owns that sliver of land. He presented the Board with new plans and confirmed the deed is correct. Dennis Ackerman present at 5:33 PM
Atty. Manganiello stated they have frontage along Disamar Rd. and Dean Street. They have put the soil testing on the new plans. Public Input was kept open from last meeting. No one in favor opposed.
Bob made motion to grant the Special permit for a triplex dwelling including dept. comments, seconded by John.

Condition #1) That the plans dated April 7, 201 and revised June 11, 2021 shall govern with the following additional conditions:

Condition #2) The property falls within the 200-foot Riverfront Area of the Taunton River and will require a filing a Notice of Intent with the Conservation Commission.

Condition #3) If municipal water and sewer is not available the lot will need to be able to construct an on-site septic system, with appropriate setback requirements and buffers in accordance with Title 5 regulations, and private well. All dwellings must comply with the Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II.

All in favor. Hearing closed at 5:34 PM

Public Meeting – Site Plan Review – 170 Hart St – for a 5 family use (triplex & duplex) in an Urban Residential district, submitted by Jose Andrade

Dept. comments read into the record from DIRB, Fire Dept., Veolia Water, Historic District, and TMLP. John DeSousa was invited into the enclosure. He stated he added the playground on the plans. They are proposing to add a triplex building to the site which has an existing duplex dwelling. Brian asked about the tree line and is there a buffer? John stated there is about 10 feet of no cut and they will be putting a new white stockade fence around.

Brian made motion to open public input, seconded by Bob. All in favor. No one in favor or opposed.

Brian motion to close public input, seconded by Bob. All in favor.

Dennis made motion, seconded by Brian, to approve the Site Plan review with the dept. comments & conditions:

Condition #1) That the plans dated October 21, 2020 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two set of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) Two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) Dumpsters shall be located on a concrete pad, enclosed with a 6 foot stockade fence, be kept closed at all times and emptied regularly

Condition #7) A PLS stamp is required on the plans

Condition #8) A benchmark shall be added to the plan

Condition #9) DPW permits are required including city licensed contractor, road opening and or trench

Condition #10) DPW specifications apply including hydrant flow testing, pressure testing, materials, installation, new water meter with an updated radio frequency unit, inspection and approval, potential inspection for a backflow device by the plumbing inspector or city inspector

Condition #11) Prior notice is required before any city water work is to be performed and inspections will be required before backfilling

Condition #12) The project shall comply with the City's sanitary sewer standards and specifications.

Condition #13) The drainage plan shall be approved by the City Engineer prior to any Building Permits

Condition #14) Show the patios and the playground area on the plan

All in favor.

Public Hearing – Form J – 167 Caswell Street – Waiver of frontage requirements – for the division of one lot into two lots – submitted by Superior Homes, LLC

Roll Call: Campbell, Reardon, Ackerman, Spencer, Lopes, Carr and Abreau, Hearing opens at 5: 55 PM Scott Faria, P.E. was invited into the enclosure. Dept. comments were read into the record from Conservation Commission, Water Dept., Engineer, B.O.H, and City Planner. Scott says they want to divide one lot into two lots and they already received ZBA approval. They have designed the septic and will need to go to Conservation Commission for filing. Manny asked how much frontage do they have and it was answered 51 feet. There will be separate driveway for each lot. Manny asked how long is the driveway? Scott answers it's about 300 feet to the first house and 500 feet to second house. Manny stated each owner will maintain their own driveway and Scott answers yes. Scott said the lots are very large. Brian asked about the one abutter who had concern at the ZBA meeting. Dennis said they had issued with drainage and didn't want to see any development in their backyard. Scott said there is good sized wetlands in the area. The abutter who had concern is about 500 feet of Lot C2. The lot will be serviced by water and septic system.

Brian made motion to open public input, seconded by John. All in favor. No one in favor or opposed.
Brian made motion to close public input, seconded by John. All in favor.
Bob made motion to approve the Form J with dep. Comments. Seconded by John. All in favor.

1. The applicant will need to file a Notice of Intent for Lot C2 and may possibly need to file a Request for Determination for Lot C1. There is an outlet for stormwater and drainage area that comes very close to the proposed driveway for Lot C2.
2. City Water is available from the existing 8" city main on Caswell Street.
3. DPW Permits are required and need to be submitted to DPW for water services, gate valves, and curb stops.
4. DPW Permits are required including: City Licensed contractor, road opening, and or trench
5. DPW Specifications apply including: Pressure testing, materials, installation, new water meter with an updated radio frequency unit, inspection and approval.
6. DPW Specifications apply including, any backflow devices must be inspected by the Plumbing Inspector or City Inspector.
7. Prior notice is required before any city water work is to be performed, and inspections will be required before backfilling.
8. City reserves the right to change these terms and conditions at any time.
9. Add a second State Plane Coordinate to the plan. Recommend using CV (Fnd – held) at the intersection of Pat-Ree Drive and Caswell Street.
10. The plans need to be stamped and signed by a Professional Land Surveyor.
11. If municipal water and sewer is not available, the new lot would need to be able to construct an on-site septic system, with appropriate setback requirements and buffers in accordance with Title 5 regulations, and private well. All dwellings must comply with the Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II.

Hearing closed at 5:59 PM

Public Hearing – Form J – Railroad Avenue – 125-14 - Waiver of frontage requirements – for the division of one lot into two lots – submitted by Railroad Avenue Trust LLC

Roll call: Campbell, Ackerman, Spencer, Lopes, Reardon, Carr and Abreau. Hearing opens at 6 PM
Dept. comments were read into the record from Engineer, Conservation Commission, City Planner, and B.O.H. Jeff Tallman, Sitec and Atty. Brianna Correia were invited into the enclosure. Atty. Correia stated last week the ZBA granted approval to split the lot into two lots. Lot 1 will be a conforming lot and the other lot needed variances for frontage & lot width and shape factor. She states they updated the plans to show a common driveway. They are proposing a 16 foot wide driveway with 2 foot wide gravel shoulders on each side which will provide adequate fire truck access. Atty. Correia points out there are 16 developed lots and 2 of them have zero frontage and there is a total of 10 lots that do not meet today's zoning regulations. They are also seeking a Special Permit for a 2 family use on each lot. Lot 2 has double the minimum lot area and according to the Assessor's reference there are a four 2 family dwelling on the street. Three of those lots are half the size of the proposed lots. They will be going to the Conservation commission meeting next month. This is a redevelopment of the site it has been used for commercial purposes. There is an old stone foundation on lot 2. It was noted the City of Taunton may have a right of way to the TMIP Lot. Jeff stated he has seen evidence of an old train station but the exact location is unclear. It could have been an old cola manufacturing plant. He spoke to Michele Restino and they will be having a meeting for Notice of Intent.

Tony asked if there is water and sewer it was answered yes. Jeff pointed out there is a slight extension to their property which they can run the water line per the water dept. The fire dept. needs 20 feet access so they changed plans to show 16 feet wide driveway with 2 feet wide shoulders to have 20 feet unobstructed access.

Bob asked if there would be a homeowner's association for the maintenance of the driveway and it was answered yes. Bob states so homeowner's would need to bring trash barrel to end of driveway for pick up and it was answered yes. Mailboxes will be at end too this is just a driveway not a street. Brian asked if the Conservation Commission can stop this because of the wetland issues? Jeff answered yes they can give us a denial. Jeff stated he didn't the development would impact the project but he said if Conservation denies and it impacts the P.B. approval will need to come back. Jeff stated the permitting process is not spelled out of who to go to first. The special permit is a concept plan. It was asked if these would be condos and Jeff did not know. Dennis stated if our decision conflicts with any other decision they will need to come back. He stated developers don't want to have full blown plans because they cost so much without know if you have approval. Brian thought this board should be the last approval. Bob asked how they are claiming they have frontage? There are wetlands so he thinks it's illusionary frontage and you can't use it? Manny asked the width of the common driveway and it was answered it will be 20 feet wide (16 feet wide with 2 foot wide shoulder on each side) Manny stated there shouldn't be parking allowed along the driveway. Bob made motion to open public input, seconded by Manny. All in favor. No one in favor or opposed. Arthur made motion to close public input, seconded by Manny. All in favor. Manny made motion to approve the Form J with dept. comments & conditions

- 1. If municipal water and sewer is not available, the new lot would need to be able to construct an on-site septic system, with appropriate setback requirements and buffers in accordance with Title 5 regulations, and private well. All dwellings must comply with the Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II.**
- 2. Add State Plan Coordinates to plan for at least two permanent locations. Consider using iron rod (fnd.-held) at the corner of Lot (125-13) and a second property corner to be set.**
- 3. There may be an existing right of way to the rear parcel (116-78) further investigation is required.**
- 4. There are extensive wetlands on this property and the proposed driveway to Lot #2 will not only fall within the 25-foot Wetland Protection Zone (WPZ) but will involve the construction of an improved wetland crossing per stream crossing standards, and create additional impervious surface. The applicant will need to file a Notice of Intent for both lots to include the driveway.**
- 5. No parking on the common driveway is allowed.**
- 6. The access shall not be less than 20 feet unobstructed width – Mass. Fire Code 18.2.3.4.1.1. Access shall be a pavement width of at least 16 feet with 2 foot wide gravel shoulder on each side as presented.**

Public Hearing – Special Permit – Railroad Avenue 125-14 - 2 family use on each lot in the Suburban Residential District, submitted by Railroad Avenue Trust, LLC

The board combined form J & special permit for discussion purposes – see above - Dept comments were read into the record from TMLP, Veolia Water, Conservation Commission, Engineer, B.O.H, Fire Dept. Water dept.

Motion made and seconded to grant the Special permit for a two-family use on each lot with the following conditions:

Condition #1) The property is entirely within the Zone X FEMA Flood Zone. There are extensive wetlands on this property which may be more extensive than what is depicted on the plan. There is evidence that much of the property contains standing water as evidences by staining on leaves and tree trunks. The current gravel path has an old flagstone culvert that connects both sides of the wetland as well as allows the intermittent stream to flow through. This is not up to stormwater standards and the applicant will be required to install a box culvert and meet current stream crossing standards. The applicant will need to file a Notice of Intent for both lots include the driveway for any future construction.

Condition #2. The stone culvert will need to be evaluated to determine its structural integrity.

Condition #3) The existing gravel driveway accesses the property owned by the City of Taunton (116-78). The associated deed for that parcel references a right a way.

Condition #4) If municipal water and sewer is not available, the new lot would need to be able to construct an on-site septic system, with appropriate setback requirements and buffers in accordance with Title 5 regulations, and private well. All dwellings must comply with the Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II.

Condition #5) The access shall not be less than 20 feet unobstructed width – Mass. Fire Code 18.2.3.4.1.1. Access shall be a pavement width of at least 16 feet wide with 2 foot wide gravel shoulder on each side as presented.

Condition #6) No parking is allowed on the common driveway.

Condition #7) There shall be a homeowner's association or common driveway agreement for the maintenance of the common driveway.

Hearing closed at 6:32 PM

Public Hearing- Special Permit/Site Plan Review – 687 & 711 County St. – to add 48,588 sq. ft. to the existing 65,532 sq. ft. self storage bldg., submitted by Mainran LLC and Nomaininc, LLC

Hearing opens at 6:33 PM. Roll call: Lopes, Carr, Spencer, Reardon, Ackerman, Campbell and Abreau. Dept. comments were read into the record from DIRB, Fire, Engineer, TMLP, Veolia Water, Water, and the B.O.H. Atty. Edmund Brennan, Brandon LI, Civil Engineer and Mike Gardner were invited into the enclosure

Atty. Brennan stated they are here tonight to amend the SP from 2018 and the addition triggered the SPR. The ZBA granted variance for waiver of parking. The site is 80% occupied and they recently purchased lot next door and they plan on expanding. Atty. Brennan state the site is very well maintained and the hours are quite conservative. Atty. Brennan stated the parking is based on an Industrial use but this type of business does not warrant that much parking. They will be adding 21 more spaces for a total of 50. This is the petitioner's 5th facility and they are very aware what the parking needs are. The traffic flow will stay same and drainage impact is normal. Hours will be Monday – Friday 8-7, Saturday 8-5 and Sunday 10-4. Traffic has never been an issue. They will file a Form A to create lots. John asked how any additional units will there be? Mike G. answers approx.. 400 units because not all space will be used for units, it will be used for space for electrical room. There was 480 units in the first phase. John asked if any vehicles will be allowed inside and it was answered no. They will place bollards in front of doors to prevent any vehicles from trying to go inside. Brian asked if the City Engineer's comments will be address, ie. As-Built? Brandon answered yes when it's all done a new AS-Built will be provided. It was asked if the fence was constructed as part of the previous approval for neighbor. Mike stated no because he sold property to us. Bob asked about the contours and drainage and Brandon answers it's all contained on site. Tony asked about any additional sewer and they answered no. Public input: No one appeared in opposition or in favor. John made motion to approve the Special Permit/Site Plan Review with the following conditions:

- Condition #1) That the plans dated June 3, 2021 shall govern with the following additional conditions;**
- Condition #2) A set of updated plans shall be submitted that conforms to all of the requirements of this decision before a building permit is issued. Two sets are required.**
- Condition #3) Lighting shall not illuminate any portion of abutting properties**
- Condition #4) The site shall be kept clean and clear of debris**
- Condition #5) Two set of as-builts shall be submitted upon completion of all work on site and shall include certification notes and stamps by a Design Engineer (PE) and Land Surveyor (PLS) stating that the development has been built according to the approved plans. Plans shall show at least all of the information shown on the proposed plans referenced in condition #1 above and all utility as-builts prior to occupancy.**
- Condition #6) Compliance with ZBA Case #3437 and case #3621 and the conditions listed therein**
- Condition #7) The ANR plan shall be recorded prior to building permit**
- Condition #8) Remove the plus and minus notations from the Plans**
- Condition #9) Dumpster shall be kept closed at all times and emptied regularly, be enclosed with a 6 foot stockade fence**
- Condition #10) No hazardous materials shall be stored in the building**
- Condition #11) Compliance with ZBA Case #3621 is required**
- Condition #12) Pavement markings for the one way access shall be added in addition to the proposed signs**
- Condition #14) The overhead doors shall be designed to prevent vehicle access in to the building or oil water separators shall be added**
- Condition #15) New deeds and plans reflecting the property lines changes need to be created and recorded at the Registry of Deeds.**
- Condition #16) MassDOT will need to be informed of any and all changes to the site because it may impact the time sequence on the newly installed traffic controls at Hart's Four Corners.**
- Condition #17) Final As-Built plan for the current property were never received by the Engineering Dept. A set of Final set of plans will be required prior to any occupancy permits for this Phase of construction.**
- Condition #18) Submit a final as-built plan to the Veolia Water.**
- Condition #19) City Water is available from the existing 12" city water main on County Street.**
- Condition #20) Plans are required and need to be submitted to DPW for Water services, gates valves, and curb stops.**
- Condition #21) DPW Permits are required including: City Licensed Contractor, road opening, and or trench.**
- Condition #22) DPW specifications apply including: hydrant flow testing, pressure testing, materials, installation, new water meter with an updated radio frequency unit, inspection and approval.**
- Condition #23) DPW Specification apply including: any backflow devices must be inspected by the Plumbing Inspector or City Inspector.**
- Condition #24) Prior notice is required before any city water work is to be performed, and inspections will be required before backfilling.**
- Condition #25) City reserves the right to change these terms and conditions at any time.**

Public Meeting- Site Plan Review – 396 Winthrop St. - for a used car lot – submitted by John Barbour.

Jeff Tallman, Northeast Engineers, was invited into the enclosure. Dept. comments were read into the record from DIRB, Fire, B.O.H. Engineer, TMLP, Veolia Water, and Water Dept. They received an Order of Condition from Conservation. They received zba approval for landscaping buffers. They are re-configured the parking and lost one space. They received their sewer connection a while ago. Jeff stated they are reducing the access and expanding paved parking area. The use will be shipping vehicles and they need to get a Class II License. Jeff didn't think his client wants to do sales but he might want some displayed.

Tony asked if he had license now because there are cars already on the property. Jeff stated his clients currently leasing building and he will be purchasing it. He plans on displaying cars and have 2 employees. Ton stated the less displayed the better. Manny asked if this was the same owner as across the street and it was answered no. Bob asked about any vegetation planned? Jeff answered low shrubs, not any higher than 3 feet. No sign on site. He's asking for a maximum of 10 with 6 displayed. Dennis said he would not want to see any more than 10. Manny asked where is the access ? Jeff answers it's off of Winthrop and it's already there. Brian asked what type of business is this? Jeff answers he thinks it's a transport cars from point A to point B. Manny asked if it would transporting cars out of the country and Jeff really didn't know. After some discussion it was suggested continuing and having the applicant present at next meeting to answer questions. Bob also requests them to show snow storage on plans and have owner present for next meeting. **John made motion to continue to next month and have the petitioner present at meeting and to also to show snow storage on plans. seconded by Dennis . All in favor.**

Public Meeting – Site Plan Review – 500 John Hancock Rd. lot 2 – for Modifications to the existing site plan approval consisting of the existing 621,622 sq. ft. warehouse distribution facility , submitted by Martignetti Companies.

Atty. Edmund Brennan, and Russ Burke, BSC Group and Hank Sesson was invited into the enclosure. Dept. comments were read into the record for DIRB, Eng., TMLP, Veolia Water, and B.O.H. Atty. Brennan stated this is an 18 acre parcel and in October Martignetti was here for a SPR for a 621,000 sq. ft. building all on one lot. As they moved forward they ran into a roadblock relating to the financing. It would be easier to put

Condition #1) That the plans dated May 20, 2021 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two sets of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) Two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) That the conditions contained in the August 12, 2015 site plan review decision shall remain in effect unless specifically modified in this decision

Condition #7) Bearings and distances for property lines shall be shown on the site plan

Condition #8) a copy of the recorded reciprocal easements for both sites for drainage, access and utilities shall be provided prior to building permit

Condition #9) Compliance with ZBA Case # 3622 is required.

Condition #10) Snow storage area shall be shown on the plans.

Condition #11) The proposed retaining walls require stamped structural engineering plans which shall be provided for the file

Condition #12) A proposed utility plan will need to be reviewed by Veolia Water.

Public Meeting – Site Plan Review – Charles Colton Rd – 24-2 – for the construction of a 584, 640 sq. ft. bldg to be used for warehouse purposes, submitted by Martignetti Companies.

Dept. comments were into the record from DIRB, Engineer, Veolia Water, TMLP, Fire, Water, and B.O.H. Atty. Edmund Brennan, Russ Burke, BSC Group Urban Planner, Hank Sesson owner were invited into the enclosure. Atty. Brennan stated this is similar to the previous project. They will be adding a new property line which runs along the driveway. They went to ZBA for some minor landscaping variances. The access will remain the same and they will have cross easements. Brian asked about loading docks? They will be facing away from the neighborhood. There is about a 300 foot buffer from South Boundary Road. The

proposed building will be one story. It was asked about the berm they put on the Martignetti property and Hank says they secured the property from Mass Development and the berm was added with 300 feet of landscaping. Russ stated they have a superior buffer. Brian stated it's a top notch building and project. Bob asked if the stockade fencing will now be the berm and it was answered yes it's a significant upgrade. Public Input: Richard Shafer, project Mgr. TD Mass. Dev. Corp. He's very pleased with the project and it brought 900 jobs to the City. He's very excited about the new building and he likes the berm idea (like Jordans' furniture) He stated the industrial park is under 5% vacancy. No one opposed. Manny made motion to approve the Site Plan Review with the dept. comments, seconded by Arthur, all in favor

Condition #1) That the plans dated September 3, 2020 and revised through May 18, 2021 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two set of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) Two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) A copy of the recorded reciprocal easements for both sites for drainage, access and utilities shall be provided prior to building permit

Condition #7) proposed retaining walls require stamped structural engineering plans which shall be provided for the file

Condition #8) Snow storage areas shall be shown on the plan

Condition #9) Bearings and distances for property lines shall be shown on the site plan

Condition #10) Compliance with an Order of Conditions 2876 from the conservation Commission is required

Condition #11) Dever Drive is under a five year moratorium for road openings. A waiver will be needed.

Condition #12) A current fire hydrant test on the nearest existing hydrant is required

Condition #13) DPW water division specifications shall apply including design materials, installation, testing, inspection and final approval

Condition #14) DPW Permits will be required including City Licensed Contractor, Road Opening and Trench Permits for the proposed work

Condition #15) Compliance with ZBA Case # 3622 is required

Condition #16) A second manhole shall be added on the sewer line

Condition #17) An outside sewer cleanout will be required of the building.

Condition #18) Upon completion submit an updates site plan to the Board of Health.

Condition #19) Berm to be mounded above grade on top of retaining wall in lieu of stockade fencing as presented at meeting.

Roadway Improvement Plan - Stanley Avenue – proposal is to improve 225 feet of roadway for frontage for ne residential lot, submitted W.E.Folsom Co. Inc.

Dept. comments were read into the record from B.O.H, Engineer, Conservation Commission, City Planner, Water Dept. and TMLP. Atty. Brianna Correia and Jeff Tallman, Northeast Eng. were invited into the enclosure. Atty. Correia stated this was approved in 2004 for access for one lot but the improvements were never done. They will be extending the roadway to create frontage for one lot. Jeff stated he didn't think another hydrant is needed. They will extend the water main. They will extend sewer and leave stubs. Tony stated there are some drainage issues and he just wants to make sure it doesn't negatively impact other properties. They propose another catch basin on other side. Bob pointed out by removing all the trees to widen road you are removing a lot of the screening for neighbors. He asked if they considered just putting in

driveway and see if the ZBA would approve a lot without frontage and access via a driveway. They are proposing a duplex. He stated they could save a lot of trees. Bob said by clearing tree to extend roadway will expose the neighborhood to a lot if they put road in. It was suggested continue to September meeting to allow them to explore other options

Dennis made motion to grant continuance to September meeting. Seconded by John. All in favor.

At this time Jeff Tallman asked the Board if he could speak about an issue with **Dora Estates** Subdivision located off Winthrop Street. They have run into some environmental issues and will need to make some modifications and they want to see how the Board feels about considering some changes to the definitive subdivision. The changes may be a reduction of roadway width from 30 feet to 24 feet wide, eliminate one sidewalk. Jeff stated they are working with Dighton because the property abuts their Zone 1 and Zone A water district. It was asked if this was the subdivision they had to blast and it was answered yes. It was asked if this roadway will remain private and it was answered yes. Jeff stated it was approved for 7 lots with triplexes. The road will remain private.

30 Sherwood Drive – Special Permit – 17,787 sq. ft. marijuana cultivation, manufacturing & delivery - Need to forward a recommendation to Municipal Council

Atty. William Rounds, Flavia Hungaro, John DeSousa, NorthCounty Group and Rick Nagal were invited into the enclosure. Atty. Rounds stated there are here tonight for a recommendation from the Board to the Council. They are proposing a cultivation from this location. Just to make the Board aware there is another tenant in the same building. Flavia has a retail shop at 83 County Street. All activity at this site will be inside, there will be no customers invited to her site, no retail at this site. The hours of operation will be 7 am - 8 pm. and there will be 24 hours presence on site. Rick stated he has been with the State Police for 30 years and wrote the rules on narcotics. He has known Flavia for about 3.5 years now and is very comfortable with her. He stated he has no interest in her company. He suggested having 24 hour security and she agree to it even though it's not required. There will be cameras of which the video is held for 90 days and police are welcome to view it if anything happens in the neighborhood. He stated when vendors come in they will be escorted. The delivery is well regulated, and the product is weighed, sealed and locked in a contained in the vehicle. There are cameras inside and out and all agents are wearing body cameras. There is a 2-way cellphone in vehicle at all times. One will do delivery and other stays in the vehicle. They conduct background checks and query checks. John asked if during deliveries one person will be in the vehicle at all time and it was answered yes. John asked how much product can be delivery and it was answered not a lot so there won't be a significant amount in the vehicle. Flavia says she will grow it here and sell it at the County Street site. John asked how many vehicles does she have for delivery and it was answered 2 now. Brian asked about the standard operating procedures and he wanted to make sure the police and fire know who to call if an emergency. Arthur asked if this is for strictly recreation? Flavia answered they contact her company, go through the registration process, verification process, scanner and has to be 21. Bob asked about the 2 growers in the same building and it was answered they are completely separate.

John made motion, seconded by Arthur, to forward a positive recommendation to the Council with the following conditions:

1. That there be a set of standard written operation procedures.
2. On-call 24 hours a day security (as presented) and provide the police & fire dept. with contact information and phone numbers.

Department comments from the Conservation Commission, TMLP, City Engineer, Board of Health, Water Dept., Fire Dept. and Veolia Water was sent with the recommendation.

6 members in favor, 1 member (Abreau) absent)

61 Summer St. – Site plan Review – Requesting an 18-month extension –

Letter from Donald Rose SCG, CHA Consulting requesting an 18-month extension on the Site Plan Review for property at 61 Summer Street. It was asked why they requesting an extension and Dennis stated it probably has to do with Covid and going through the process took longer an expected.

Dennis made motion to grant an 18-month extension, seconded by John. All in favor.

Bruno's Way – E-5 – Request to release lots 1, 2, 3 (lot 4 has existing house) - submitted by Ferreira Realty Group.

Steve Ferreira was invited into the enclosure. He is requesting the release of 3 lots. Comments from Conservation, Greenman Pedersen, City Engineer and Water Dept were read into the record.

Manny made motion to release lots 1,2,3 upon receipt of acceptable surety in the amount of \$64,000, seconded by John. All in favor.

Manny brought up Ashleigh Estates and Steve Drive. He read letter from Dec. 2019 calling surety because of the developer's inability to complete the project. We are holding approx.. \$143,000 for Phase I & Phase II of Ashleigh Estates and a few lots that are still under covenant. He has received calls from residents asking for update. Russell Pierce, 195 Steve Drive wrote letter to Board asking for an update but letter wasn't placed on the agenda per Chairman Abreau. Chairman Abreau in an earlier e-mail reported they are in the process of securing a contractor for roadwork for the City. Manny also said the Board requested an opinion from the Law office to see if the Planning Board can seize the lots still under covenant and sell to fix roads. Manny indicated none of the present members were on the planning board when Steve Drive was developed and there no funds held that Steve Drive. Manny thinks it a grave mistake on the Board's part for not requiring monies back when it was being developed. Discussion was how the planning board wanted to seize the lots and try to sell them to have more money to complete items on the list that need addressing. Bob stated when this Board releases lots they ask for money and that system works providing we have a competent developer. Russ Pierce spoke about the developer being able to build a modular house on Steve Drive a few years back. Bob stated if the lot was already released the Board can't do anything about it. Bob stated we are only holding surety for Ashleigh Estates Phase I and Phase II. Brian stated Steve Drive was developer long time ago. He understands he residents' concerns and thinks there should be a date certain for finishing. The City Engineer submitted a cost estimate a years ago with a 1.2 million estimate. The Board will need prioritize the work and get as much done with the \$143,000.

Brian made motion to refer this to the DPW and Law Dept. inquiring if we can seize the lots (or put liens on lots) to sell and ask DPW what the time frame is on completing work Seconded by Arthur. All in favor.

Meeting adjourned at 9:00 PM